

LESLIE KELLY

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LESLIE KELLY,

PLAINTIFF,

V.

03-368E

JOHN LAMANNA, ET AL.,

DEFENDANTS.

DEPOSITION OF: LESLIE KELLY

LOCATION: 696 MUCKERMAN ROAD

BENNETTSVILLE, SOUTH CAROLINA

DATE: TUESDAY, OCTOBER 31, 2006

TIME: 2:02 P.M. - 2:45 P.M.

COURT REPORTER: ROGER R. WILLIAMSON

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LESLIE KELLY

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<p>1 APPEARANCES</p> <p>2 FOR THE PLAINTIFF:</p> <p>3 NEAL DEVLIN, ESQ.</p> <p>4 120 W. 10TH STREET</p> <p>5 ERIE, PA 16501</p> <p>6 FOR THE DEFENDANT:</p> <p>7 MICHAEL C. COLVILLE</p> <p>8 ASSISTANT U.S. ATTORNEY</p> <p>9 WESTERN DISTRICT OF PA</p> <p>10 U.S. POST OFFICE &amp; COURTHOUSE</p> <p>11 700 GRANT STREET, SUITE 4000</p> <p>12 PITTSBURGH, PA 15219</p> <p>13</p> <p>14 FOR THE DEFENDANT:</p> <p>15 DOUG GOLDRING, ESQ.</p> <p>16 400 FIRST STREET, NW</p> <p>17 WASHINGTON, DC 20534</p> <p>18 ALSO PRESENT: LORIE WATSON</p> <p>19</p> <p>20 INDEX</p> <p>21 EXAMINATION BY MR. COLVILLE 3</p> <p>22 EXAMINATION BY MR. GOLDRING 30</p> <p>23</p> <p>24 EXHIBITS</p> <p>25 PG/LN EX. DESCRIPTION</p> <p>(NO EXHIBITS WERE PROFFERED.)</p> <p>26</p> <p>27</p> <p>28</p> <p>29</p> <p>30</p> <p>31</p> <p>32</p> <p>33</p> <p>34</p> <p>35</p> <p>36</p> <p>37</p> <p>38</p> <p>39</p> <p>40</p> <p>41</p> <p>42</p> <p>43</p> <p>44</p> <p>45</p> <p>46</p> <p>47</p> <p>48</p> <p>49</p> <p>50</p> <p>51</p> <p>52</p> <p>53</p> <p>54</p> <p>55</p> <p>56</p> <p>57</p> <p>58</p> <p>59</p> <p>60</p> <p>61</p> <p>62</p> <p>63</p> <p>64</p> <p>65</p> <p>66</p> <p>67</p> <p>68</p> <p>69</p> <p>70</p> <p>71</p> <p>72</p> <p>73</p> <p>74</p> <p>75</p> <p>76</p> <p>77</p> <p>78</p> <p>79</p> <p>80</p> <p>81</p> <p>82</p> <p>83</p> <p>84</p> <p>85</p> <p>86</p> <p>87</p> <p>88</p> <p>89</p> <p>90</p> <p>91</p> <p>92</p> <p>93</p> <p>94</p> <p>95</p> <p>96</p> <p>97</p> <p>98</p> <p>99</p> <p>100</p> <p>101</p> <p>102</p> <p>103</p> <p>104</p> <p>105</p> <p>106</p> <p>107</p> <p>108</p> <p>109</p> <p>110</p> <p>111</p> <p>112</p> <p>113</p> <p>114</p> <p>115</p> <p>116</p> <p>117</p> 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<p>937</p> <p>938</p> <p>939</p> <p>940</p> <p>941</p> <p>942</p> <p>943</p> <p>944</p> <p>945</p> <p>946</p> <p>947</p> <p>948</p> <p>949</p> <p>950</p> <p>951</p> <p>952</p> <p>953</p> <p>954</p> <p>955</p> <p>956</p> <p>957</p> <p>958</p> <p>959</p> <p>960</p> <p>961</p> <p>962</p> <p>963</p> <p>964</p> <p>965</p> <p>966</p> <p>967</p> <p>968</p> <p>969</p> <p>970</p> <p>971</p> <p>972</p> <p>973</p> <p>974</p> <p>975</p> <p>976</p> <p>977</p> <p>978</p> <p>979</p> <p>980</p> <p>981</p> <p>982</p> <p>983</p> <p>984</p> <p>985</p> <p>986</p> <p>987</p> <p>988</p> <p>989</p> <p>990</p> <p>991</p> <p>992</p> <p>993</p> <p>994</p> <p>995</p> <p>996</p> <p>997</p> <p>998</p> <p>999</p> <p>1000</p>	<p>1 A QUESTION OR YOU WANT TO TAKE A BREAK, LET ME</p> <p>2 KNOW AND WE CAN ACCOMMODATE BOTH REQUESTS. BUT I</p> <p>3 WILL ASSUME THAT IF YOU ANSWER -- AND I'M GOING TO</p> <p>4 ASK YOU TO ANSWER, NOT WITH A NOD OF A HEAD, BUT</p> <p>5 VERBAL RESPONSE. SO IF YOU DO ANSWER MY SPECIFIC</p> <p>6 QUESTION WE'LL MOVE FORWARD FROM THERE.</p> <p>7 MR. KELLY, MY UNDERSTANDING FROM THE RECORDS I</p> <p>8 HAVE IS THAT YOU WORKED FOR UNI CORP FOR</p> <p>9 APPROXIMATELY EIGHT MONTHS. IS THAT ABOUT WHAT</p> <p>10 YOU RECALL?</p> <p>11 A YES, SIR. YES.</p> <p>12 Q WOULD YOU DO ME A FAVOR AND JUST BRIEFLY</p> <p>13 DESCRIBE FOR ME WHAT YOU DID FOR UNI CORP DURING</p> <p>14 THOSE EIGHT MONTHS AND IF YOU COULD DO IT</p> <p>15 CHRONOLOGICALLY. THAT IS, TAKE ME THROUGH THE</p> <p>16 FIRST JOB YOU HAD AND IF THERE WERE OTHER JOBS</p> <p>17 AFTER THAT, THOSE JOBS AND WHAT DUTIES WERE</p> <p>18 INVOLVED WITH EACH OF THE JOBS?</p> <p>19 A OKAY. WHEN I FIRST STARTED WORKING AT</p> <p>20 UNI CORP I WORKED IN FRONT -- IT WAS A MACHINE</p> <p>21 LIKE A GLUE MACHINE THAT GLUED PANELING TOGETHER.</p> <p>22 RIGHT. SO WE PICKED THE BOARDS AND SENT THEM</p> <p>23 THROUGH THE MACHINE THAT GLUED THE PANEL TOGETHER</p> <p>24 AND IT CAME OUT ON THE OTHER END. AND SOMETIMES I</p> <p>25 WORKED ON THE OTHER SIDE OF THAT AND WE'LL LIFT IT</p>
Page 3	Page 5
<p>1 STIPULATIONS</p> <p>2 IT IS STIPULATED AMONG COUNSEL THAT THIS</p> <p>3 DEPOSITION IS BEING TAKEN PURSUANT TO THE FEDERAL</p> <p>4 RULES OF CIVIL PROCEDURE; AND THAT ALL OBJECTIONS,</p> <p>5 EXCEPT AS TO THE FORM OF THE QUESTION, ARE</p> <p>6 RESERVED UNTIL THE TIME OF TRIAL.</p> <p>7 IT IS ALSO STIPULATED AMONG COUNSEL FOR THE</p> <p>8 RESPECTIVE PARTIES AND THE DEPONENT THAT THE</p> <p>9 DEPONENT WILL EXERCISE THE RIGHT TO READ AND SIGN</p> <p>10 THIS TRANSCRIPT.</p> <p>11 THEREUPON,</p> <p>12 LESLIE KELLY,</p> <p>13 BEING FIRST DULY SWORN BY THE COURT REPORTER, AS</p> <p>14 HEREINAFTER CERTIFIED, TESTIFIED AS FOLLOWS:</p> <p>15 EXAMINATION</p> <p>16 BY MR. COLVILLE:</p> <p>17 Q MR. KELLY, MY NAME IS MIKE COLVILLE AND</p> <p>18 I'M THE ASSISTANT U.S. ATTORNEY ASSIGNED TO THIS</p> <p>19 CASE. AND THE PURPOSE OF THIS DEPOSITION TODAY IS</p> <p>20 TO HELP ME GATHER SOME FACTS AND INFORMATION ABOUT</p> <p>21 YOUR LAWSUIT. I'M GOING TO ASK YOU A COUPLE OF</p> <p>22 QUESTIONS AND AGAIN I REMIND YOU TO WAIT FOR MY</p> <p>23 QUESTIONS TO FINISH BEFORE YOU BEGIN YOUR ANSWER</p> <p>24 THAT WAY WE WON'T TALK OVER EACH OTHER AND THIS</p> <p>25 WILL GO A LITTLE QUICKER. IF YOU DON'T UNDERSTAND</p>	<p>1 UP AND SIT THEM ON THE SIDE. THEN AFTER I WORKED</p> <p>2 THERE I WORKED THERE ON -- I SHIFTED MY JOB, I</p> <p>3 WORKED -- I DON'T KNOW THE NAME OF THE JOB, WHAT</p> <p>4 DEPARTMENT THAT WAS, BUT WE DRILLED THE MICRO</p> <p>5 BOARD, WE PUT THEM TOGETHER AND PACKED THEM UP AND</p> <p>6 SHIPPED THEM OUT. AND THEN I WORKED STACKING UP</p> <p>7 TAC BOARDS AND WE CUT THEM. WE WAS CUTTING THEM.</p> <p>8 I WAS WORKING AT -- WHEN I -- THIS WAS ALL AT ONCE</p> <p>9 IN THE SAME DEPARTMENT RIGHT HERE WITH THE TAC</p> <p>10 BOARDS AND THE MICRO BOARDS. THAT'S ALL IN THE</p> <p>11 SAME DEPARTMENT. AND SO I WAS CUTTING TAC BOARDS</p> <p>12 TOO AND I WAS STACKING THEM. THEN HE SWITCHED MY</p> <p>13 JOB TO SWEEPING, SO I STARTED SWEEPING FOR A</p> <p>14 MINUTE. AND HE TOOK ME BACK OFF THE SWEEPING AND</p> <p>15 PUT ME BACK ON TO PUTTING -- THE MICRO BOARDS, TO</p> <p>16 PUTTING THEM BACK TOGETHER AND SHIPPING THEM OUT.</p> <p>17 Q ARE THEY ALL THE JOBS THAT YOU HAD?</p> <p>18 A YES, SIR.</p> <p>19 Q ALL RIGHT. LET ME GO THROUGH EACH ONE</p> <p>20 OF THEM. HOW LONG DID YOU WORK AT THE GLUE</p> <p>21 MACHINE?</p> <p>22 A I WORKED AT THE GLUE MACHINE ABOUT --</p> <p>23 ABOUT -- ABOUT TWO OR THREE MONTHS, SOMETHING LIKE</p> <p>24 THAT I BELIEVE.</p> <p>25 Q NOW, DO I TAKE IT THAT THIS GLUE</p>

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3 (Pages 6 to 9)

Page 6	Page 8
<p>1 MACHINE, IT WAS IN A CASE, A CLOSED MACHINE WHERE</p> <p>2 THE PRODUCT, THE BOARD WOULD STAY IN AND YOU WERE</p> <p>3 ON THE OUTSIDE OF THE MACHINE, THE BOARD WENT IN</p> <p>4 AND THAT'S WHERE THE ADHESIVE WAS APPLIED?</p> <p>5 A YEAH, THE BOARD -- BOARD GOES THROUGH</p> <p>6 THE MACHINE AND IT COMES BACK OUT FROM AN OPPOSITE</p> <p>7 END WHERE OTHER GUYS PICK IT UP AND LIFT IT AND</p> <p>8 SIT IT TO THE SIDE.</p> <p>9 Q WAS -- WHEN -- WHEN THE PERSON -- WHEN</p> <p>10 YOU PUT THE BOARD INTO THE MACHINE OBVIOUSLY THERE</p> <p>11 WASN'T ANY GLUE. BUT WHEN YOU TOOK THE MACHINE --</p> <p>12 WHEN YOU TOOK THE BOARD OUT OF THE MACHINE, WAS --</p> <p>13 WAS THE GLUE EXPOSED OR SOMETHING ALREADY PUT ON</p> <p>14 TOP OF THE GLUE THAT --</p> <p>15 A NO, NO THE -- YOU PUT A -- ONCE YOU PUT</p> <p>16 IT THROUGH THE MACHINE THE GLUE GOES ON THE BOARD</p> <p>17 AND THE OTHER GUY ON THE OTHER SIDE TAKES THE</p> <p>18 PANELING AND SIT IT ON TOP OF THERE AND EVEN IT ON</p> <p>19 THERE TOGETHER. THEN ONCE THAT IS DONE, ONCE YOU</p> <p>20 GET ENOUGH OF THEM THEY STICK THEM TOGETHER AND</p> <p>21 PUT SOMETHING ON TOP OF THEM AND MAKE THEM STICK</p> <p>22 TOGETHER LIKE THIS TABLE RIGHT HERE.</p> <p>23 Q I UNDERSTAND.</p> <p>24 A UH-HUH.</p> <p>25 Q NOW, DID YOU EVER WORK ON THAT SIDE OF</p>	<p>1 THAT YOU DESCRIBED. YOU MENTIONED SOMETHING ABOUT</p> <p>2 YOU DRILLED MICRO BOARD OR MICRO BOARD. AND THEN</p> <p>3 YOU ALSO SAID SOMETHING ABOUT YOU CUT AND STACKED</p> <p>4 TAC BOARD. IS TAC BOARD THE SAME THING AS MICRO</p> <p>5 BOARD OR IS IT TWO SEPARATE THINGS?</p> <p>6 A WELL, THEY'RE TWO -- THEY ARE TWO</p> <p>7 SEPARATE THINGS.</p> <p>8 Q OKAY. LET'S TALK ABOUT YOUR WORKING</p> <p>9 WITH THE MICRO BOARD. EXPLAIN TO ME IN MAYBE A</p> <p>10 LITTLE MORE DETAIL, BECAUSE I DON'T KNOW, WHAT IT</p> <p>11 IS YOU WERE DOING WITH THE MICRO BOARD?</p> <p>12 A OKAY. SOMETIMES WE'LL -- WE'LL SCREW</p> <p>13 THE -- WE'LL SCREW THE PADDING ON THERE. AND</p> <p>14 WE'LL SCREW THE -- IT'S A LITTLE ROUND THING THAT</p> <p>15 THE -- THE MOUSE SIT ON, WE'LL SCREW THAT</p> <p>16 TOGETHER. WE'LL PUT THAT IN THERE TOGETHER AND</p> <p>17 WE'LL SHIFT THEM. THEN WE PUT IT TO THE SIDE.</p> <p>18 WE'LL DO ABOUT EIGHT -- EIGHT TO A THOUSAND OF</p> <p>19 THEM A DAY.</p> <p>20 Q IS IT FAIR TO SAY THAT YOU WEREN'T</p> <p>21 OPERATING A MACHINE, BUT YOU WERE ASSEMBLING THE</p> <p>22 PRODUCTS THAT HAD COME OFF OF THE MACHINES?</p> <p>23 A YES, SIR.</p> <p>24 Q OKAY. AND THEN YOU MENTIONED SOMETHING</p> <p>25 ABOUT A MOUSE PAD. WHAT WERE YOU BUILDING, DESKS</p>
Page 7	Page 9
<p>1 THE MACHINE OR DID YOU ONLY WORK ON THE SIDE OF</p> <p>2 THE MACHINE WHERE YOU WERE PUTTING THE BOARD IN?</p> <p>3 A YES, I WORKED -- YES, I WORKED ON BOTH</p> <p>4 SIDES OF THE MACHINE BECAUSE WE SWITCHED -- WE</p> <p>5 SWITCHED POSITIONS.</p> <p>6 Q AND HOW MUCH OF YOUR TIME WOULD HAVE</p> <p>7 BEEN ON THE FRONT END OF THE MACHINE AND HOW MUCH</p> <p>8 OF YOUR TIME WOULD HAVE BEEN ON THE BACK END OF</p> <p>9 THE MACHINE?</p> <p>10 A IN A DAY'S -- IN A DAY'S WORK? IN A DAY</p> <p>11 OF WORK?</p> <p>12 Q YES.</p> <p>13 A I -- I'M NOT QUITE SURE.</p> <p>14 Q OKAY. LET ME ASK YOU THIS BEFORE WE GO</p> <p>15 ANY FURTHER WITH YOUR JOBS, DURING THE EIGHT</p> <p>16 MONTHS YOU WORKED FOR UNI CORP HOW MANY DAYS A</p> <p>17 WEEK DID YOU WORK AND HOW MANY HOURS A DAY DID YOU</p> <p>18 WORK?</p> <p>19 A I WORKED -- I WAS GOING TO SCHOOL. I</p> <p>20 WOULD GO TO SCHOOL FOR ONE HOUR A DAY AND I WAS</p> <p>21 WORKING FIVE DAYS A WEEK. AND I WOULD WORK FROM</p> <p>22 -- I WOULD WORK FROM 7:40 I BELIEVE TO 3:30.</p> <p>23 Q AND THAT'S FIVE DAYS A WEEK?</p> <p>24 A YES, SIR. YES, SIR.</p> <p>25 Q OKAY. LET ME MOVE ON TO THE NEXT JOB</p>	<p>1 OR CHAIRS OR WHAT?</p> <p>2 A NO, WE WAS -- NO, WE WAS PUTTING THE --</p> <p>3 WHAT THE -- WHAT THE KEYBOARD SIT ON TOP OF FOR</p> <p>4 THE -- FOR THE COMPUTER.</p> <p>5 Q THE ONE THAT SWINGS OUT FROM UNDERNEATH</p> <p>6 THE DESK? I THINK I KNOW WHAT YOU'RE TALKING</p> <p>7 ABOUT.</p> <p>8 A YES, SIR. YES.</p> <p>9 Q AND HOW MANY OF THOSE -- HOW MANY OF</p> <p>10 THOSE A DAY WOULD YOU DO?</p> <p>11 A SOME DAYS WE'LL DO 800, 800 OF THEM A</p> <p>12 DAY.</p> <p>13 Q WHERE WOULD YOU DO THIS IN RELATION TO</p> <p>14 THE PANEL SAWS THAT WERE CUTTING OUT PIECES OF THE</p> <p>15 MICRO BOARD?</p> <p>16 A I WOULD SAY ABOUT TEN FEET BEHIND US.</p> <p>17 Q HOW DO THE MICRO BOARDS GET FROM THE</p> <p>18 PANEL SAW OVER TO YOU WHERE YOU'RE ASSEMBLING</p> <p>19 THEM?</p> <p>20 A OKAY. OKAY. THEY WOULD CUT THEM. IT</p> <p>21 WOULD BE A BIG BOARD, THEY'LL CUT ABOUT AS LONG AS</p> <p>22 THIS TABLE OR WIDE AS THIS TABLE. THEY'LL CUT IT</p> <p>23 UP AND THEN THEY'LL SHIP IT TO THIS ONE GUY THAT'S</p> <p>24 SITTING RIGHT NEXT TO HIM AND HE'LL CUT IT UP SOME</p> <p>25 MORE. RIGHT? THEN ONCE THEY GET A -- A BIG LOAD</p>

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4 (Pages 10 to 13)

Page 10

1 OF THEM THEY'LL SHIP THEM STRAIGHT OVER THERE TO  
 2 US AND WE'LL ASSEMBLE THEM TOGETHER AND THEN WE'LL  
 3 PACK THEM UP AND SHIP THEM OUT. BUT FIRST THEY  
 4 HAVE TO -- FIRST THEY HAVE TO BE GETTING --  
 5 THERE'S ANOTHER GUY RIGHT BESIDE US THAT WORKED  
 6 WITH US THAT'LL DRILL ANOTHER HOLE THROUGH THERE  
 7 WHERE THE SCREWS CAN GO THROUGH. HE WORKED IN OUR  
 8 DEPARTMENT. DO YOU UNDERSTAND?

9 Q WAS THAT --

10 A I'M SORRY?

11 Q WAS THAT WITH A MACHINE OR WAS THAT HAND  
 12 DRILLED?

13 A IT WAS LIKE A -- IT WAS JUST A -- IT WAS  
 14 LIKE A MACHINE -- IT WAS A MACHINE DRILL. IT WAS  
 15 LIKE A REGULAR HAND MACHINE -- IT WAS A REGULAR  
 16 HAND DRILL, BUT IT WAS JUST LIKE A MACHINE THAT  
 17 JUST SITS DOWN AND YOU JUST SEND IT THROUGH --  
 18 SEND IT THROUGH THERE LIKE THIS (INDICATING) AND  
 19 TAKE IT BACK OUT.

20 Q NOW, PART OF THAT MACHINE, WAS THERE ANY  
 21 DUST COLLECTION SYSTEM ATTACHED TO OR NEAR THE  
 22 DRILL SO WHEN IT WENT DOWN THROUGH THE MICRO BOARD  
 23 IT SUCKED SOME OF THE DUST UP?

24 A NO, NOT ON THAT MACHINE, NO, SIR. NO.

25 Q OKAY. NOW, YOU ALSO MENTIONED BEING

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1 INVOLVED WITH CUTTING AND STACKING TAC BOARD. WAS  
 2 THIS DONE IN THE SAME AREA AS THE WORK WITH THE  
 3 MICRO BOARD, DRILLING IT AND ASSEMBLING IT?

4 A YES. YES, IT WAS LIKE RIGHT --

5 Q TELL ME WHAT YOU DID WITH THE TAC  
 6 BOARDS. TELL ME WHAT YOU DID WITH THE TAC BOARDS.

7 A OKAY. WE WOULD TAKE THEM TO THE -- IT'S  
 8 A SAW MACHINE RIGHT NEXT TO OUR DEPARTMENT. WE'LL  
 9 TAKE THEM AND STACK -- SIT IT UP, STACK THEM UP  
 10 OVER THERE. WE'LL TAKE ONE AT A TIME AND CUT THEM  
 11 UP. IT'S LIKE A, YOU KNOW, A BOARD YOU PUT YOUR  
 12 NOTES ON. WE'LL CUT THEM UP INTO A SQUARE AND SIT  
 13 THEM TO THE SIDE. AND THEN WE'LL, ONCE WE CUT  
 14 THEM ALL UP, WE'LL SEND THEM TO THE OTHER SIDE SO  
 15 THE OTHER DEPARTMENT CAN TAKE -- DO THE REST OF  
 16 THE JOB.

17 Q AND OTHER THAN THOSE JOBS WE JUST TALKED  
 18 ABOUT, THE ONLY OTHER ONE YOU MENTIONED WAS YOU  
 19 DID SOME SWEEPING?

20 A YES, SIR. HE TOOK ME OFF MY JOB AND HE  
 21 GAVE ME A SWEEPING JOB AND THAT LASTED FOR ABOUT A  
 22 WEEK OR TWO. BUT THEN HE PUT ME BACK ONTO MY  
 23 REGULAR JOB.

24 Q AND WHAT -- WHEN YOU SAY REGULAR JOB,  
 25 ARE YOU TALKING ABOUT THE JOB AT THE TAC BOARD AND

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1 THE MICRO BOARD?

2 A YES, SIR. YES, SIR.

3 Q ANY OTHER JOBS YOU HAD WHILE WORKING  
 4 WITH UNI CORP FOR THOSE EIGHT MONTHS THAT YOU  
 5 HAVEN'T ALREADY DESCRIBED?

6 A IT'S -- IT'S ANOTHER -- IT'S ANOTHER  
 7 MACHINE THERE THAT I HAVE WORKED ON, BUT I -- I'VE  
 8 KIND OF FORGOT HOW -- WHAT WE WAS DOING WITH THAT  
 9 MACHINE. NO, IT'S LIKE -- I FORGOT WHAT KIND OF  
 10 MACHINE IT WAS AT THE TIME.

11 Q OKAY. LET ME ASK YOU THEN TO NOW FOCUS  
 12 ON THE INJURIES YOU CLAIM HAVE OCCURRED AS A  
 13 RESULT OF YOUR WORKING IN THE UNI CORP FACTORY.  
 14 AND LET ME ASK YOU TO DO THIS, TELL ME, LIST THEM  
 15 IN ORDER WHAT INJURIES DO YOU HAVE AND LET ME --  
 16 WELL, JUST LET ME KNOW WHAT INJURIES YOU HAVE  
 17 RIGHT NOW. I'LL GO THROUGH EACH ONE OF THEM  
 18 AFTERWARDS WITH YOU.

19 MR. DEVLIN: JUST TO THE WORK RELATED  
 20 INJURIES HE HAS RIGHT NOW --

21 MR. COLVILLE: NO.

22 MR. DELVIN: -- OR THE INJURIES HE'S HAD  
 23 SINCE UNI CORP?

24 BY MR. COLVILLE:

25 Q MR. KELLY, WHAT I WANT TO FIND OUT IS

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1 WHAT YOU'RE CLAIMING -- WHAT INJURIES YOU'RE  
 2 CLAIMING HAVE OCCURRED TO YOU, WHETHER YOU STILL  
 3 HAVE THEM OR WHETHER YOU HAD THEM BEFORE AND  
 4 THEY'VE GONE AWAY. AND I NEED TO KNOW EVERY  
 5 SINGLE ONE OF THEM. AND WHAT I WANT YOU TO DO IS  
 6 LIST THEM FOR ME, I'LL WRITE THEM DOWN AND I'LL GO  
 7 BACK WITH -- OVER THEM WITH YOU AND YOU CAN TELL  
 8 ME IF THEY'RE RESOLVED THEMSELVES IF YOU STILL  
 9 HAVE THE PROBLEMS. FAIR ENOUGH?

10 A CLEAR ENOUGH. SO YOU'D LIKE ME TO START  
 11 FROM BACK WHEN I FIRST STARTED HAVING PROBLEMS? I  
 12 WAS HAVING --

13 Q YES, SIR.

14 A HUH? WHAT DID YOU SAY, SIR?

15 Q YES.

16 A OKAY.

17 Q YES, SIR.

18 A WHEN I WAS IN -- WHEN I WAS WORKING IN  
 19 UNI CORP I WAS ALWAYS GETTING THESE NOSE BLEEDS  
 20 AND I DIDN'T NEVER KNOW WHERE THEY WAS COMING  
 21 FROM. MY NOSE WOULD START BLEEDING FOR NO  
 22 PARTICULAR -- FOR NO -- FOR NO REASON. AND IT WAS  
 23 DOING THAT QUITE A FEW TIMES, BUT I NEVER WENT IN  
 24 FOR IT OR NOTHING LIKE THAT BECAUSE I'D NEVER KNOW  
 25 WHERE IT WAS COMING FROM. SO THEN ONE TIME I GOT



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5 (Pages 14 to 17)

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1 REAL SICK UP IN THERE AND I HAD TO GO TO THE  
 2 HOSPITAL. I HAD TO GET PERMISSION TO GO TO THE  
 3 HOSPITAL BECAUSE I WAS SO SICK I DIDN'T KNOW WHAT  
 4 WAS WRONG WITH ME. SO THEY GAVE ME A SICK LEAVE  
 5 FOR ABOUT THREE OR FOUR DAYS. AND THEN -- AND  
 6 THEN AFTER THEN I WAS -- STARTED HAVING REAL BAD  
 7 HEADACHES THAT WAS LASTING ME ALL DAY LONG AND  
 8 THEY WAS GIVING ME MEDICATION FOR THEM AND THEY  
 9 WOULD NEVER GO AWAY. I WAS TAKING ALL KIND OF  
 10 IBUPROFENS AND MOTRINS AND THEY WAS -- I WOULD  
 11 TAKE THEM AND THEY WOULD GO AWAY FOR ABOUT AN HOUR  
 12 AND COME RIGHT BACK AND LAST ALL DAY LONG. AND  
 13 WHEN I'D GO TO SLEEP AND WAKE UP IN THE MORNING, I  
 14 -- I WOULD WAKE UP WITH A HEADACHE. AND THEN I  
 15 WAS HAVING CHEST PAINS AND, YOU KNOW, WAKING UP AT  
 16 NIGHT WITH SHORTNESS OF BREATH AND STUFF.  
 17 THINGS -- AND NOW -- AND AT THIS TIME I -- I BE  
 18 HAVING A LITTLE CHEST PAIN AND SHORTNESS OF BREATH  
 19 LIKE WHEN I WAKE UP AND LIKE -- I -- I CAN'T  
 20 BREATH. I'VE BEEN HAVING INFECTIONS IN MY NECK, I  
 21 DON'T -- I DON'T KNOW WHERE IT COMES FROM. I  
 22 ASKED THEM, THEY DON'T -- AND INFECTIONS IN MY  
 23 NOSE. MY NOSE HAS BEEN HAVING SORES IN IT. AND  
 24 THEY DON'T -- THEY DON'T KNOW THEY JUST GIVE ME  
 25 IBUPROFEN AND SEND ME ON MY WAY. I'VE BEEN TAKING

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1 BLOOD TESTS AND THEY HAVEN'T SAID NOTHING.  
 2 Q ARE THEY ALL THE SYMPTOMS OR THE  
 3 INJURIES THAT YOU'VE HAD SINCE BEGINNING WORK WITH  
 4 UNI CORP?  
 5 A YES. I HAVEN'T BEEN HAVING -- I HAVEN'T  
 6 BEEN HAVING NO INJURIES BEFORE I WAS WORKING AT --  
 7 BEFORE I -- I WAS HAVING SLIGHT HEADACHES BEFORE I  
 8 STARTED WORKING AT UNI CORP AND MCKEAN. BUT I  
 9 WASN'T HAVING BAD HEADACHES LIKE I WAS HAVING  
 10 AFTER I STARTED WORKING THERE, REAL BAD HEADACHES.  
 11 I MEAN, THAT WAS LASTING ALL DAY LONG LIKE THEM  
 12 AND SHORTNESS OF BREATH AT NIGHT AND DURING THE  
 13 DAY AND CHEST PAINS AND STUFF.  
 14 Q OKAY. NOW, LET ME GO BACK OVER WHAT --  
 15 THE LINE ITEMS YOU JUST TALKED ABOUT. I WANT TO  
 16 ASK YOU SOME QUESTIONS. LET ME ASK YOU ABOUT THE  
 17 NOSE BLEEDS FIRST.  
 18 A YES, SIR.  
 19 Q DO YOU PRESENTLY GET NOSE BLEEDS?  
 20 A NO, I HAVEN'T BEEN HAVING NOSE BLEEDS  
 21 LATELY, BUT I STILL HAVE BEEN HAVING LIKE SORES --  
 22 MY NOSE -- SORES ALL UP IN MY NOSE AND THINGS LIKE  
 23 THAT.  
 24 Q HOW SOON AFTER YOU STARTED WORKING WITH  
 25 UNI CORP DID YOU START TO HAVE NOSE BLEEDS?

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1 A WELL, I -- I WAS NEVER HAVING NOSE  
 2 BLEEDS.  
 3 Q WELL, AFTER YOU STARTED WORKING FOR UNI  
 4 CORP, MR. KELLY, DID YOU AT SOME POINT AFTER YOU  
 5 STARTED WORKING WITH UNI CORP BEGIN TO HAVE NOSE  
 6 BLEEDS?  
 7 A IT WAS LIKE WHEN I WAS -- ABOUT FOUR  
 8 MONTHS WHILE I WAS WORKING IN -- IT WASN'T -- IT  
 9 DIDN'T START AS SOON AS I GOT THERE. IT STARTED  
 10 WHILE I WAS WORKING AT UNI CORP THAT MY NOSE WOULD  
 11 JUST START BLEEDING FOR NO PARTICULAR REASON.  
 12 Q ALL RIGHT. WHEN THAT HAPPENED DID YOU  
 13 DO -- DID YOU TELL YOUR SUPERVISOR AND/OR DID YOU  
 14 GO TO THE MEDICAL UNIT AND TELL THEM THAT YOU WERE  
 15 HAVING NOSE BLEEDS?  
 16 A NO, AT THE TIME I DIDN'T -- I DIDN'T  
 17 TELL THE SUPERVISOR NOTHING OR I DIDN'T GO TO  
 18 MEDICAL, I JUST DID THE OLD REMEDY, HELD MY HEAD  
 19 BACK.  
 20 Q AT ANY POINT DID YOU AT SOME POINT IN  
 21 TIME GO AND TELL YOUR SUPERVISOR OR TELL THE  
 22 MEDICAL UNIT THAT YOU WERE HAVING NOSE BLEEDS?  
 23 A NO, NOT ON THE NOSE BLEEDS, SIR. NO,  
 24 SIR.  
 25 Q OKAY. HOW OFTEN WOULD THE NOSE BLEEDS

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1 OCCUR ONCE YOU STARTED TO HAVE THEM?  
 2 A I'D SAY IT HAPPENED ABOUT THREE TO FOUR  
 3 TIMES, SOMEWHERE AROUND IN THERE. MY NOSE JUST  
 4 STARTED BLEEDING, JUST BLOOD JUST COMING FROM  
 5 EVERYWHERE.  
 6 Q JUST SO I'M CLEAR ARE YOU TELLING ME  
 7 THAT YOU HAD THREE OR FOUR NOSE BLEEDS THROUGHOUT  
 8 THE ENTIRE PERIOD OF TIME YOU WORKED FOR UNI CORP?  
 9 A YES, SIR.  
 10 Q OKAY. THE NEXT THING YOU MENTIONED WHEN  
 11 YOU SAID YOU WENT TO THE HOSPITAL ONCE AND YOU  
 12 WERE OUT FOR THREE OR FOUR DAYS BECAUSE YOU WERE  
 13 SICK. I WASN'T CLEAR AS TO WHAT YOU WERE -- WHAT  
 14 -- WHAT THE SICKNESS WAS ABOUT. WAS IT THE NOSE  
 15 BLEEDS OR WAS IT SOMETHING ELSE?  
 16 A LIKE IT WAS SOMETHING ELSE AND THEY  
 17 DIDN'T KNOW WHAT IT WAS EITHER.  
 18 Q CAN YOU DESCRIBE FOR ME WHAT THE  
 19 SICKNESS --  
 20 A DESCRIBE -- DESCRIBE WHAT --  
 21 Q DO YOU BELIEVE THAT THE SICKNESS -- CAN  
 22 YOU DESCRIBE FOR ME WHAT THE SICKNESS FELT LIKE  
 23 AND WHAT THE SYMPTOMS WERE?  
 24 A I WAS REAL WEAK AND I WAS LIKE  
 25 SHIVERING. IT WAS LIKE A -- IT WAS LIKE I WAS

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6 (Pages 18 to 21)

Page 18

1 JUST -- I WAS REAL SICK REAL BAD, SOMETHING I  
2 NEVER FELT BEFORE. AND PEOPLE WAS ASKING ME -- I  
3 WAS LOOKING LIKE I WAS DYING OR SOMETHING AND I  
4 DIDN'T KNOW WHAT WAS WRONG WITH ME. I WENT TO THE  
5 HOSPITAL, THEY DIDN'T -- THEY JUST GIVE YOU A  
6 COUPLE OF MOTRINS, A COUPLE OF PILLS AND SEND YOU  
7 ON TO THE BLOCK AND YOU'VE GOT TO TAKE CARE OF  
8 YOURSELF.

9 Q DO YOU REMEMBER WHEN THIS WAS, WHAT TIME  
10 OF YEAR OR A DATE?

11 A I BELIEVE IT WAS LIKE IN DECEMBER OR  
12 JANUARY, DECEMBER 2002, JANUARY 2003.

13 Q NOW, MR. KELLY, THAT IS THE COLD AND FLU  
14 SEASON. WHAT YOU WERE FEELING WAS IT WORSE THAN  
15 THE FLU OR SOMETHING LIKE THE FLU?

16 A NO, SIR. NO, I HAVEN'T BEEN SICK.

17 Q NOW, THE NEXT THING YOU TALKED ABOUT IS  
18 YOUR HEADACHES AND YOU MENTIONED AT THE END HERE  
19 THAT YOU HAD, HAD THAT PRIOR TO WORKING WITH UNI  
20 CORP, PRIOR TO COMING TO MCKEAN, YOU HAD HAD SOME  
21 TYPES OF HEADACHES. DID YOU EVER SEEK TREATMENT  
22 FOR -- WERE YOU EVER TREATED FOR HEADACHES PRIOR  
23 TO COMING TO MCKEAN?

24 A YES, SIR. YES, SIR, IN LEWISBURG.

25 Q WHERE -- WHERE -- THAT WAS GOING TO BE

Page 20

1 EVER RECEIVE MEDICAL ATTENTION AT ANY HOSPITAL OR  
2 A CLINIC?

3 A ON THE OUTSIDE?

4 Q YES.

5 A YOU'RE TALKING ABOUT BEFORE I EVER GOT  
6 TO MCKEAN?

7 Q YES.

8 A NO, SIR.

9 Q ARE YOU CURRENTLY HAVING HEADACHES?

10 A AT THE TIME THEY COME AND GO, THEY BE  
11 LITTLE HEADACHES, BUT THEY COME AND GO.

12 Q ARE YOU CONTINUING TO SEEK TREATMENT FOR  
13 THE HEADACHES BECAUSE OF THE PAIN THAT THEY'RE  
14 CAUSING?

15 A YES.

16 Q HAS ANYBODY DIAGNOSED YOU OR DIAGNOSED  
17 WHY YOU'RE HAVING THESE HEADACHES AT MCKEAN?

18 A THEY -- THEY GAVE ME SOME HIGH BLOOD  
19 PRESSURE PILLS WHEN I DIDN'T -- I DIDN'T EVEN HAVE  
20 HIGH BLOOD PRESSURE. THEY JUST PUT ME ON SOME --  
21 THEY PUT ME ON ABOUT THREE OR FOUR DIFFERENT KIND  
22 OF MEDICATIONS TO TRY TO CURE THE PROBLEMS. AND  
23 THEY NEVER KNEW WHERE WAS IT COMING FROM. SO THEY  
24 WERE JUST TRYING ALL KIND OF MEDICATION ON ME. I  
25 TRIED OUT ABOUT FOUR OR FIVE DIFFERENT MEDICATIONS

Page 19

1 MY NEXT QUESTION. WHERE WERE YOU -- WERE YOU  
2 INCARCERATED PRIOR TO COMING TO MCKEAN?

3 A YES, SIR, I WAS IN LEWISBURG, U.S.P.

4 (OFF THE RECORD DISCUSSION.)

5 BY MR. COLVILLE:

6 Q HOW -- HOW LONG -- WELL, HOW LONG HAD  
7 YOU BEEN HAVING HEADACHES AT LEWISBURG PRIOR TO  
8 COMING OUT TO MCKEAN?

9 A IT WAS OFF AND ON. WELL, I'D SAY EVERY  
10 OTHER MONTH OR SOMETHING LIKE THAT.

11 Q DID ANYBODY IN LEWISBURG -- DID ANYBODY  
12 IN LEWISBURG TELL YOU WHY THEY THOUGHT YOU WERE  
13 HAVING THE HEADACHES?

14 A NO, SIR.

15 Q OKAY. WERE YOU HAVING ANY OTHER TYPES  
16 OF PROBLEMS, SUCH AS NOSE BLEEDS OR ANY OTHER  
17 SYMPTOMS AND BEING TREATED FOR THOSE SYMPTOMS WHEN  
18 AT LEWISBURG?

19 A NO, NOT AT -- NO, NOT AT LEWISBURG.

20 Q HOW ABOUT ANYWHERE ELSE?

21 A FOR A SICKNESS OR ANYTHING, NO, SIR.  
22 DETENTION CENTER, NO. I PROBABLY HAD SOME  
23 HEADACHES OR SOMETHING BEFORE AND THAT WAS JUST AT  
24 THE DETENTION CENTER AND THAT WAS IT.

25 Q PRIOR TO BEING INCARCERATED, DID YOU

Page 21

1 AT MCKEAN WHEN THE -- AND THE HEADACHES WOULDN'T  
2 GO AWAY.

3 Q WHY DON'T YOU TELL ME ABOUT THE  
4 SHORTNESS OF BREATH? WHEN DID THE SHORTNESS OF  
5 BREATH SYMPTOMS BEGIN?

6 A IT BEGAN ON LIKE -- WHEN I WAS AT  
7 MCKEAN. AT NIGHT I WOULD GET UP AND -- AND  
8 SOMETIMES I COULDN'T BREATHE. I'D BE LIKE  
9 SHORTENING OF BREATH AND TRYING TO CATCH MY BREATH  
10 AT NIGHT.

11 Q AND YOU SAID IT STARTED WHEN YOU WERE AT  
12 MCKEAN. WELL, YOU'VE BEEN AT MCKEAN A WHILE NOW.  
13 WHAT PERIOD OF TIME, A MONTH, A YEAR DID IT BEGIN  
14 TO MANIFEST ITSELF?

15 A I'D SAY ABOUT A MONTH.

16 Q SO IN THE PAST MONTH?

17 A CAN YOU -- CAN YOU -- CAN YOU REPEAT  
18 THAT?

19 Q I'M TRYING -- YES. I'M TRYING TO FIND  
20 OUT WHEN YOUR SHORTNESS OF BREATH SYMPTOM BEGAN.  
21 YOU STATED EARLIER THAT IT STARTED WHEN YOU WERE  
22 AT MCKEAN. YOU'VE BEEN AT MCKEAN FOR A WHILE NOW.  
23 I'M TRYING TO FIGURE OUT WHEN DID IT BEGIN?

24 A IT BEGAN IN -- AROUND ABOUT IN THE  
25 SUMMER OF -- IN THE BEGINNING OF 2003, IN THE

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7 (Pages 22 to 25)

<p style="text-align: right;">Page 22</p> <p>1 MIDDLE, AROUND UP IN THERE.</p> <p>2 Q WHEN YOU -- WHEN YOU HAVE THE SYMPTOM OF</p> <p>3 SHORTNESS OF BREATH, DID YOU SEEK MEDICAL</p> <p>4 ATTENTION OR DID YOU TELL YOUR SUPERVISOR ABOUT</p> <p>5 IT?</p> <p>6 MR. DEVLIN: OBJECT TO THE FORM. YOU</p> <p>7 CAN ANSWER IT.</p> <p>8 THE DEPONENT: CAN YOU REPEAT THAT?</p> <p>9 MR. DEVLIN: YOU CAN GO AHEAD AND ANSWER</p> <p>10 IT, MR. KELLY, I JUST HAD AN OBJECTION TO THE</p> <p>11 FORM.</p> <p>12 THE DEPONENT: CAN YOU REPEAT THE</p> <p>13 QUESTION?</p> <p>14 BY MR. COLVILLE:</p> <p>15 Q WHEN -- YOU SAID THAT YOU HAD SYMPTOMS</p> <p>16 OF SHORTNESS OF BREATH IN THE SUMMER OF 2003. MY</p> <p>17 QUESTION WAS, WHEN YOU HAD THOSE SYMPTOMS AT THAT</p> <p>18 TIME DID YOU TELL YOUR SUPERVISOR OR DID YOU</p> <p>19 REPORT IT TO THE MEDICAL UNIT?</p> <p>20 A I REPORTED IT -- EVERY TIME I HAD A</p> <p>21 SHORTNESS OF BREATH I REPORTED IT TO THE MEDICAL.</p> <p>22 Q ALL RIGHT. WELL, THAT ANSWERS A COUPLE</p> <p>23 OF QUESTIONS. AND JUST SO I'M CLEAR, ARE YOU</p> <p>24 TELLING ME THAT EVERY TIME YOU HAD SHORTNESS OF</p> <p>25 BREATH YOU WENT TO THE MEDICAL UNIT AND REPORTED</p>	<p style="text-align: right;">Page 24</p> <p>1 THEY PUT ME ON THREE DIFFERENT TYPES OF</p> <p>2 MEDICATIONS AT MCKEAN. IT WAS HEART MEDICATION,</p> <p>3 IBUPROFEN AND I TOLD YOU THEY WAS GIVING ME THE</p> <p>4 HIGH BLOOD PRESSURE PILLS, BUT I WASN'T EVEN -- I</p> <p>5 DIDN'T EVEN HAVE HIGH BLOOD PRESSURE AND THEY WAS</p> <p>6 GIVING ME THEM PILLS TO TAKE FOR MY PAIN, FOR MY</p> <p>7 HEADACHES AND STUFF TOO.</p> <p>8 Q MR. KELLY, IS THERE A HISTORY OF HEART</p> <p>9 PROBLEMS IN YOUR FAMILY?</p> <p>10 A NO, SIR.</p> <p>11 Q SO I TAKE IT YOU'RE STILL EXPERIENCING</p> <p>12 CHEST PAINS?</p> <p>13 A YES.</p> <p>14 Q HOW OFTEN?</p> <p>15 A THEY COME EVERY NOW AND THEN. MY -- MY</p> <p>16 CHEST WILL START JUST BEING IN PAIN AND I DON'T --</p> <p>17 I DON'T KNOW WHERE IT WAS COMING FROM AND THE</p> <p>18 DOCTOR HERE SAID IT COULD BE A COUPLE OF THINGS.</p> <p>19 AND THEY HAVE PUT ME ON A MACHINE A FEW TIMES.</p> <p>20 BUT THEY NEVER GAVE ME NO REAL ANSWER OR NOTHING.</p> <p>21 Q YOU MENTIONED HAVING INFECTIONS IN YOUR</p> <p>22 NECK AND YOUR NOSE. COULD YOU TELL ME ABOUT</p> <p>23 THOSE?</p> <p>24 A YES, THAT WAS AT JESSUP I -- WHEN I</p> <p>25 STARTED GETTING INFECTIONS IN MY NECK. IT WAS</p>
<p style="text-align: right;">Page 23</p> <p>1 IT?</p> <p>2 A EVERY -- EVERY TIME SOMETHING HAPPENED</p> <p>3 TO ME AND WHEN I WAS SICK OR SOMETHING WAS WRONG I</p> <p>4 REPORTED IT TO MEDICAL, YES, SIR.</p> <p>5 Q HAS ANYBODY TOLD YOU WHY THEY THINK YOU</p> <p>6 HAVE SHORTNESS OF BREATH?</p> <p>7 A NO, NO, NO, SIR. I -- I WENT TO AN</p> <p>8 OUTSIDE DOCTOR WHEN I WAS IN JESSUP, GEORGIA AND</p> <p>9 THEY -- BUT THAT WASN'T FOR SHORTNESS OF BREATH</p> <p>10 THOUGH.</p> <p>11 Q WHY DID YOU GO TO A DOCTOR IN JESSUP,</p> <p>12 GEORGIA?</p> <p>13 A IT WAS FROM THE -- IT WAS FROM THE CHEST</p> <p>14 PAINS I KEPT GETTING. I KEPT RECEIVING CHEST</p> <p>15 PAINS AND SHORTNESS OF BREATH THERE TOO. BUT THEY</p> <p>16 JUST TOOK ME ON THE OUTSIDE FOR THEM TO EXAMINE MY</p> <p>17 CHEST AND MY HEART RATE.</p> <p>18 Q AND WHAT DID THOSE RESULTS SHOW?</p> <p>19 A HE -- HE -- HE SAID MY CHEST WAS OKAY</p> <p>20 AND MY HEART WAS IN PRETTY GOOD SHAPE. BUT I'M</p> <p>21 STILL ON HEART -- I'M STILL ON HEART MEDICATION</p> <p>22 RIGHT NOW AT THE TIME.</p> <p>23 Q HOW LONG HAVE YOU BEEN ON HEART</p> <p>24 MEDICATION?</p> <p>25 A I BELIEVE IT WAS SINCE MCKEAN. I --</p>	<p style="text-align: right;">Page 25</p> <p>1 JUST LIKE A LUMP UNDER MY -- RIGHT UNDER MY CHIN.</p> <p>2 SO THEY JUST GAVE ME SOME ANTIBIOTICS AND I -- AND</p> <p>3 THEY JUST SENT ME ON MY WAY. AND THEN THE</p> <p>4 INFECTIONS I BEEN HAVING IN MY NOSE --</p> <p>5 Q HAVE -- I'M SORRY I INTERRUPTED YOU.</p> <p>6 PLEASE COMPLETE YOUR ANSWER IF YOU NEED TO.</p> <p>7 A I SAID THE INFECTIONS THAT I BE HAVING</p> <p>8 IN MY -- LIKE IN MY NOSE TOO, THEY JUST GIVE ME</p> <p>9 CREAM OR SOME ANTIBIOTICS AND THEY JUST SEND ME ON</p> <p>10 MY WAY.</p> <p>11 Q NOW, ARE THERE ANY OTHER INJURIES OR</p> <p>12 SYMPTOMS THAT YOU'VE EXPERIENCED SUBSEQUENT OR</p> <p>13 DURING THE TIME PERIOD YOU WORKED FOR UNI CORP?</p> <p>14 A ARE THERE ANY MORE, NO, SIR.</p> <p>15 Q OKAY. NOW, AS I UNDERSTAND IT YOU</p> <p>16 CONTEND THAT ALL OF THESE INJURIES AND SYMPTOMS</p> <p>17 HAVE BEEN CAUSED BY YOUR EXPOSURE TO THE MICRO</p> <p>18 BOARD THAT WOULD BE CUT AND THE DUST THAT WAS IN</p> <p>19 THE AIR AT THE UNI CORP FACTORY. IS THAT AN</p> <p>20 ACCURATE STATEMENT?</p> <p>21 A YES.</p> <p>22 Q DO YOU BELIEVE -- DO YOU BELIEVE THAT</p> <p>23 THESE INJURIES OR SYMPTOMS WERE CAUSED BY ANYTHING</p> <p>24 OTHER THAN THE MICRO BOARD AND THE DUST THAT WAS</p> <p>25 CAUSED BY CUTTING THE MICRO BOARD?</p>

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8 (Pages 26 to 29)

Page 26

1 A CAN YOU REPEAT THAT?  
 2 Q DO YOU BELIEVE THAT THESE INJURIES OR  
 3 THESE SYMPTOMS THAT WE'VE JUST GONE THROUGH WERE  
 4 CAUSED BY ANYTHING OTHER THAN THE CUTTING OF THE  
 5 MICRO BOARD OR THE DUST ASSOCIATED WITH THE  
 6 CUTTING OF THE MICRO BOARD?  
 7 A I BELIEVE THAT COME FROM THE STUFF FROM  
 8 THE MICRO BOARD AND THE PRODUCTS THAT WE WAS  
 9 MAKING INSIDE OF UNI CORP.  
 10 Q SUCH AS WHAT?  
 11 A THE GLUE MACHINE, THE TAC BOARD AND THE  
 12 MICRO BOARDS.  
 13 Q OKAY. WHAT IS IT ABOUT THE TAC BOARD  
 14 THAT YOU THINK IS CAUSED OR HAS CAUSED YOUR  
 15 SYMPTOMS OR INJURIES?  
 16 A THE CHEMICALS THAT'S IN IT, SIR.  
 17 Q MR. KELLY, I KNOW THAT -- WELL, I KNOW  
 18 MCKEAN IS A NONSMOKING FACILITY. IS JESSUP A  
 19 NONSMOKING FACILITY?  
 20 A AT THE TIME MCKEAN WAS NOT A NONSMOKING  
 21 FACILITY. MCKEAN WAS VERY SMOKING FACILITY, VERY  
 22 -- A LOT OF SMOKING GOING ON IN THERE.  
 23 Q BUT IT'S NONSMOKING NOW?  
 24 A RIGHT.  
 25 Q ARE YOU A SMOKER OR WERE YOU A SMOKER?

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1 A NO, SIR. NO, SIR.  
 2 Q HAVE YOU EVER SMOKED?  
 3 A I HAVE BEFORE, YES.  
 4 Q ALL RIGHT. WHEN DID YOU SMOKE?  
 5 A I HAVE SMOKED -- I SMOKED OFF AND ON IN  
 6 LEWISBURG. AND -- AND I QUIT SMOKING -- I QUIT  
 7 SMOKING, I THINK I WAS IN MCKEAN.  
 8 Q SO WHEN WOULD YOU HAVE QUIT SMOKING AT  
 9 MCKEAN, LET'S START WITH THAT? THAT'S USUALLY A  
 10 DATE SMOKERS REMEMBER, THE DAY THEY QUIT.  
 11 A I -- I -- I -- I STOPPED SMOKING AT  
 12 MCKEAN FOR ABOUT A YEAR. I HAD STOPPED SMOKING --  
 13 Q WHEN WAS THAT, CAN YOU GIVE ME A DATE OF  
 14 WHEN --  
 15 A NO, SIR.  
 16 Q -- YOU STOPPED SMOKING AT MCKEAN?  
 17 A NO, SIR.  
 18 Q HOW LONG HAD YOU SMOKED PRIOR TO WHEN  
 19 YOU STOPPED AT MCKEAN?  
 20 A BEFORE MCKEAN?  
 21 Q UH-HUH, YES.  
 22 A I HAVE -- I HAVE SMOKED AT LEWISBURG  
 23 BEFORE, YES, SIR.  
 24 Q HOW LONG OF A PERIOD OF TIME DID YOU  
 25 SMOKE?

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1 A I BEEN SMOKING FOR ABOUT -- PRIOR BEFORE  
 2 THEN, LET ME SEE HERE, I HAVE -- WHEN I GOT TO  
 3 LEWISBURG THAT'S WHEN I HAD JUST STARTED SMOKING.  
 4 I WASN'T SMOKING BEFORE THEN. I HAD STOPPED  
 5 SMOKING BEFORE THEN TOO. I HAD STOPPED SMOKING  
 6 FOR TWO YEARS BEFORE I GOT TO LEWISBURG.  
 7 Q WHEN YOU WERE SMOKING, HOW MUCH DID YOU  
 8 SMOKE?  
 9 A I COULD SMOKE TWO CIGARETTES A DAY, TWO  
 10 OR THREE CIGARETTES. I'M NOT A HEAVY SMOKER.  
 11 Q DID YOU EVER SMOKE -- WELL, WHAT DID YOU  
 12 SMOKE, DID YOU SMOKE CIGARETTES?  
 13 A YES, SIR, THAT'S IT.  
 14 Q DID YOU SMOKE CIGARS?  
 15 A NO, SIR.  
 16 Q DID YOU SMOKE MARIJUANA?  
 17 A NOT IN JAIL, OUT ON THE STREETS I HAVE  
 18 BEFORE.  
 19 Q I KNEW THAT ANSWER.  
 20 A I -- I HAVE BEFORE.  
 21 Q HOW LONG OF A PERIOD OF TIME WERE YOU  
 22 SMOKING MARIJUANA AND HOW LONG A PERIOD OF TIME  
 23 WERE YOU SMOKING CIGARETTES, THAT'S ALL I'M TRYING  
 24 TO GET TO?  
 25 A I SMOKED MARIJUANA FOR ABOUT TEN YEARS,

Page 29

1 SOMETHING AROUND UP IN THERE. AND CIGARETTES --  
 2 Q AND CIGARETTES?  
 3 A BEFORE I CAME TO PRISON I WASN'T SMOKING  
 4 CIGARETTES. I HAVE SMOKED BEFORE, BUT I HAD  
 5 STOPPED.  
 6 Q DO YOU REMEMBER WHETHER ANY OF THE  
 7 MEDICAL PERSONNEL AT MCKEAN HOSPITAL EVER ASKED  
 8 YOU IF YOU SMOKED CIGARETTES?  
 9 A NO, SIR. NO, SIR.  
 10 Q WITH REGARD TO -- TO YOUR WORKING AROUND  
 11 THE GLUE, WHAT IS THAT YOU CONTEND SHOULD HAVE  
 12 BEEN DONE, BUT WASN'T DONE BY THE DEFENDANTS IN  
 13 THIS CASE?  
 14 A WHAT DO I THINK THAT SHOULD HAVE BEEN  
 15 DONE ABOUT THE GLUE MACHINE OR ALL IN ALL?  
 16 Q YES.  
 17 A JUST THE GLUE MACHINE OR THE WHOLE --  
 18 Q YES.  
 19 A THEY COULD HAVE OPERATED IT MORE -- A  
 20 SAFER ENVIRONMENT FOR US. THE GLUE MACHINE WAS  
 21 JUST -- IT'S JUST OUT THERE. YOU -- IT'S JUST UP  
 22 IN THE AIR, YOU CAN JUST SMELL IT.  
 23 Q WELL, WHAT COULD THEY HAVE DONE THAT  
 24 THEY DIDN'T DO?  
 25 A THEY COULD HAVE MADE IT WHERE THE FUMES



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9 (Pages 30 to 33)

Page 30	Page 32
<p>1 WAS KIND OF -- YOU KNOW, THE FUMES -- THE FUMES</p> <p>2 WAS VERY HEAVY UP IN UNI CORP. AND THEY HAD THE</p> <p>3 FANS BLOWING AT THE SAME TIME. THEY HAD THE BIG</p> <p>4 DRUM FANS, LIKE A HUNDRED DRUM FANS BLOWING UP ON</p> <p>5 TOP OF US THAT'S BLOWING ALL AROUND UNI CORP. SO</p> <p>6 YOU'RE GOING TO SMELL EVERYTHING. AND THEY COULD</p> <p>7 HAVE PUT A GUARD OR SOMETHING ON THERE SO WE</p> <p>8 COULDN'T SMELL THE GLUE OR SOMETHING OR AN</p> <p>9 EXHAUST.</p> <p>10 MR. COLVILLE: ANYTHING ELSE THAT YOU</p> <p>11 WANT TO ASK?</p> <p>12 MR. GOLDRING: JUST A COUPLE OF</p> <p>13 CLARIFICATIONS.</p> <p>14 MR. COLVILLE: MR. GOLDRING IS GOING TO</p> <p>15 ASK A COUPLE OF QUESTIONS.</p> <p>16 EXAMINATION</p> <p>17 BY MR. GOLDRING:</p> <p>18 Q JUST A COUPLE OF CLARIFICATIONS,</p> <p>19 MR. KELLY. WITH RESPECT TO THE NOSE BLEEDS YOU</p> <p>20 SAID THAT YOU HAD THREE OR FOUR NOSE BLEEDS DURING</p> <p>21 THE TIME THAT YOU WERE ASSIGNED TO UNI CORP. IS</p> <p>22 THAT CORRECT?</p> <p>23 A YES. YES.</p> <p>24 Q AND SO YOU HAD NO NOSE BLEEDS -- AFTER</p> <p>25 YOU LEFT UNI CORP, YOU'VE HAD NO FURTHER NOSE</p>	<p>1 Q OKAY. OKAY. AMD WHEN YOU -- JUST FOR</p> <p>2 CLARIFICATION, YOU SAID THAT YOU WERE SICK AND YOU</p> <p>3 WENT TO THE HOSPITAL, YOU'RE TALKING ABOUT THE</p> <p>4 PRISON HEALTH SERVICES UNIT, CORRECT, NOT A</p> <p>5 HOSPITAL OUTSIDE OF PRISON?</p> <p>6 A AT WHAT -- WHAT FACILITY, SIR?</p> <p>7 Q WHEN YOU WERE -- YOU SAID YOU GOT SICK</p> <p>8 AT MCKEAN, YOU WERE VERY, VERY SICK AND YOU WENT</p> <p>9 TO THE HOSPITAL. I'M JUST ASKING, WERE YOU</p> <p>10 REFERRING THERE TO THE HEALTH SERVICES INSIDE THE</p> <p>11 PRISON OR DID THEY ACTUALLY TAKE YOU TO A HOSPITAL</p> <p>12 OUTSIDE OF THE PRISON?</p> <p>13 A YOU AIN'T -- YOU ONLY -- YOU ONLY</p> <p>14 STAYING INSIDE THE PRISON, YOU AIN'T GOING ON THE</p> <p>15 OUTSIDE OR NOTHING. YOU HAVE TO BE --</p> <p>16 Q THAT WAS MY QUESTION.</p> <p>17 A OKAY. YEAH, YOU'RE NOT GOING ON THE</p> <p>18 OUTSIDE.</p> <p>19 Q THAT'S MY QUESTION, I WAS JUST</p> <p>20 CLARIFYING WHAT YOU WERE REFERRING TO WHEN YOU</p> <p>21 SAID HOSPITAL.</p> <p>22 A OKAY. YEAH, JUST ON THE INSIDE, YES.</p> <p>23 MR. GOLDRING: OKAY. THAT'S ALL I HAVE.</p> <p>24 THANK YOU.</p> <p>25 MR. DELVIN: I HAVE NO QUESTIONS.</p>
Page 31	Page 33
<p>1 BLEEDS?</p> <p>2 A NO, I HAVEN'T BEEN HAVING NO NOSE BLEEDS</p> <p>3 LIKE THAT, BUT I'VE BEEN HAVING LIKE SORES HAVE</p> <p>4 BEEN BEING IN MY NOSE LATELY AND THEY STILL HAVE</p> <p>5 BEEN BEING IN MY NOSE AND I'VE BEEN COMING THE</p> <p>6 DOCTOR AND ASKING HIM ABOUT IT. AND THEY JUST</p> <p>7 GIVE ME ANTIBIOTIC CREAM.</p> <p>8 Q OKAY. THAT WAS ONE OF THE OTHER</p> <p>9 QUESTIONS I MEANT TO ASK YOU WITH RESPECT TO THE</p> <p>10 SORES YOU MENTIONED ON YOUR NOSE AND ON YOUR NECK.</p> <p>11 YOU SAID THAT THEY GAVE YOU ANTIBIOTIC CREAM. DID</p> <p>12 THAT PRETTY MUCH CLEAR IT UP?</p> <p>13 A NO. NO, THE ANTIBIOTIC CREAM DOESN'T</p> <p>14 CLEAR IT UP BECAUSE I'VE STILL BEEN HAVING TO COME</p> <p>15 BACK AND THEY JUST GIVE ME SOME CREAM FOR MY NOSE</p> <p>16 OR SOME -- SOME KIND OF PENICILLIN. BUT FOR THE</p> <p>17 NECK, IT WAS LIKE AN INFECTION IN MY NECK AND IT</p> <p>18 WAS HURTING REAL BAD. AND THEY -- THEY JUST SAID</p> <p>19 IT WAS AN INFECTION. I DONE HAD IT A FEW TIMES</p> <p>20 AND THEY JUST GIVE ME ANTIBIOTICS AND SEND YOU ON</p> <p>21 YOUR WAY, THAT'S ALL THEY DO.</p> <p>22 Q OKAY. SO ARE YOU STILL HAVING ANY</p> <p>23 PROBLEMS WITH THE SORES ON YOUR NECK OR THE</p> <p>24 INFECTION ON YOUR NECK?</p> <p>25 A NOT -- NOT LATELY I HAVEN'T, NOT LATELY.</p>	<p>1 MR. COLVILLE: THANK YOU, MR. KELLY.</p> <p>2 (DEPONENT EXCUSED.)</p> <p>3 (WHEREUPON, AT 2:45 P.M., THE</p> <p>4 TAKING OF THE FOREGOING</p> <p>5 DEPOSITION WAS CONCLUDED.)</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

LESLIE KELLY

10 (Pages 34 to 36)

Page 34		Page 36	
1	CERTIFICATE OF REPORTER	1	ERRATA SHEET
2	STATE OF SOUTH CAROLINA	2	PAGE/LINE #      CORRECTION      REASON
3	COUNTY OF FLORENCE	3	
4		4	
5	I, ROGER R. WILLIAMSON, COURT REPORTER AND	5	
6	NOTARY PUBLIC FOR THE STATE OF SOUTH CAROLINA, DO	6	
7	HEREBY CERTIFY THAT THE DEPONENT IN THE FOREGOING	7	
8	DEPOSITION WAS, BY ME, FIRST DULY SWORN TO TESTIFY	8	
9	TO THE TRUTH, THE WHOLE TRUTH AND NOTHING BUT THE	9	
10	TRUTH; THAT SAID DEPOSITION TRANSCRIPT WAS TAKEN	10	
11	VIA STENOMASK WITH BACKUP; THAT THE FOREGOING	11	
12	TRANSCRIPT CONTAINS A TRUE RECORD OF THE	12	
13	DEPOSITION OF SAID DEPONENT.	13	
14	I FURTHER CERTIFY THAT I AM NEITHER ATTORNEY	14	
15	NOR COUNSEL FOR, NOR RELATED TO OR EMPLOYED BY ANY	15	
16	OF THE PARTIES CONNECTED TO THE ACTION, NOR AM I	16	
17	FINANCIALLY INTERESTED IN THE ACTION.	17	
18	WITNESS MY HAND AT FLORENCE, SOUTH CAROLINA,	18	
19	THIS THE 14TH DAY OF DECEMBER, 2006.	19	
20		20	
21		21	
22	_____ ROGER R. WILLIAMSON	22	
23		23	
24	NOTARY PUBLIC FOR SOUTH CAROLINA	24	
25	MY COMMISSION EXPIRES: MARCH 18, 2012	25	
Page 35			
1	STATE OF SOUTH CAROLINA		
2	COUNTY OF _____		
3			
4	I HEREBY CERTIFY THAT I HAVE READ THE		
5	FOREGOING DEPOSITION BY ME GIVEN AND THAT THE		
6	STATEMENTS CONTAINED THEREIN ARE TRUE AND CORRECT		
7	(AS STATED) (AS CORRECTED), TO THE BEST OF MY		
8	KNOWLEDGE AND BELIEF.		
9			
10			
11	_____ LESLIE KELLY		
12			
13			
14	SWORN TO AND SUBSCRIBED BEFORE ME,		
15	THIS ____ DAY OF _____, 2006.		
16			
17			
18			
19	NOTARY PUBLIC STATE OF SOUTH CAROLINA		
20	MY COMMISSION EXPIRES:		
21			
22			
23			
24			
25			

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